

1 Therefore, Defendant's motion for reconsideration should be DENIED.

2 **II. FACTUAL BACKGROUND**

3 In early January 2006, Governor Benigno R. Fitial appointed Mr. Matthew T. Gregory to
4 be the Acting Attorney General of the Commonwealth of the Northern Mariana Islands. See
5 Declaration of Matthew T. Gregory in Support of Notice of Withdrawal and Emergency Motion
6 for an Order Discharging Counsel and Staying Proceedings which was filed on January 18, 2006.
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8 Based on that representation, on January 19, 2006, the Court granted Mr. Gregory's
9 motion to withdraw.
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11 **III. ARGUMENTS**

12 Defendant has acknowledged, and Mr. Gregory agrees, that reconsideration is
13 "appropriate if the court (1) is presented with newly discovered evidence, (2) committed clear
14 error or the initial decision was manifestly unjust, or (3) if there is an intervening change in
15 controlling law." *School District No. 1J, Multnomah County, Or. v. AcandS, Inc.*, 5 F.3d 1255,
16 1263 (9th Cir. 1993), *cert. denied*, 512 U.S. 1236 (1994). See Motion for Reconsideration at 5.
17 Defendant, however, utterly failed to provide any justification or reason why reconsideration is
18 warranted as to Mr. Gregory.
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20 First, Defendant failed to present any newly discovered evidence why Mr. Gregory's
21 motion to withdraw should not have been granted. Second, Defendant failed to point to any clear
22 error or manifest injustice in the Court's January 19, 2006 Order granting Mr. Gregory's motion
23 to withdraw due to the fact that Mr. Gregory is the Acting Attorney General of the
24 Commonwealth of the Northern Mariana Islands. Third, Defendant failed to present any
25 evidence of an intervening change in controlling law with regards to withdrawal of counsel upon
26 showing of good cause.
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1 In fact, Defendant is only complaining and lamenting about the discharge of the law firm
2 of Lujan Aguigui & Perez, LLP, but yet, continues to harass Mr. Gregory in this frivolous
3 motion. The truth is that Defendant failed to present any reason(s) or argument(s), whatsoever,
4 why the Court should reconsider its January 19, 2006 Order, and order Mr. Gregory to continue
5 representing Defendant while he is the Acting Attorney General of the Commonwealth of the
6 Northern Mariana Islands.

8 Clearly, Defendant's motion for reconsideration is brought to harass Mr. Gregory or for
9 an improper purpose.

11 IV. CONCLUSION

12 Based on the foregoing and any reasons that may appear in other pleadings and/or papers
13 or at the hearing on this matter, Mr. Gregory respectfully requests that the Court enter an order
14 denying Defendant's motion for reconsideration because (1) Defendant did not present any
15 newly discovered evidence, (2) the Court did not commit clear error and the Court's January 17,
16 2006 Order is not manifestly unjust, and (3) Defendant did not show any intervening change in
17 controlling law with regards to withdrawal of counsel.

19 Therefore, Defendant's Motion for Reconsideration should be DENIED.

21 Respectfully submitted this 3rd day of February, 2006.

23 LAW OFFICES OF RAMON K. QUICHOCHO, LLC

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25 Ramon K. Quichocho
26 Attorney for Matthew T. Gregory
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